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SEP 28 2010	
CLERK US DISTRICT COURT DISTRICT OF NEVADA	
BY: _____	DEPUTY _____

UNITED STATES DISTRICT COURT

DISTRICT OF NEVADA

UNITED STATES OF AMERICA,

Plaintiff,

v.

ROLANDO HERNANDEZ,

Defendant.

2:10-CR-361-LDG (RJJ)

AMENDED PRELIMINARY ORDER OF FORFEITURE

This Court finds that on September 20, 2010, defendant ROLANDO HERNANDEZ pled guilty to Count 4 of a Five-Count Criminal Indictment charging him with Possession with Intent to Distribute a Controlled Substance - Methamphetamine, in violation of Title 21, United States Code, Section 841(a)(1), (b)(1)(B)(i), and (b)(1)(A)(viii).

This Court finds defendant ROLANDO HERNANDEZ agreed to the forfeiture of property set forth in Forfeiture Allegations of the Criminal Indictment.

This Court finds, pursuant to Fed. R. Crim. P. 32.2(b)(1) and (2), the United States of America has shown the requisite nexus between property set forth in the Forfeiture Allegations of the Criminal Indictment and the offense to which defendant ROLANDO HERNANDEZ pled guilty.

The following assets are subject to forfeiture pursuant to Title 18, United States Code, Section 924(d) and Title 28, United States Code, Section 2461(c); Title 21, United States Code, Section 881(a)(11) and Title 28, United States Code, Section 2461(c); Title 21, United States Code, Section 853(a)(1); and Title 21, United States Code, Section 853(a)(2):

- a. a Smith and Wesson M&P 15 .227 Caliber Assault Rifle and magazine, serial number 31252;
- b. a 9 mm Ruger handgun and magazine, model P95, serial number 316-52236;
- c. a Berreta .32 caliber auto handgun and two loaded magazines, serial number DAA397172;
- d. an Echasa-Eibar .22 caliber handgun and magazine, serial number 63817;
- e. a Gold Plated Desert Eagle .41/.44 Magnum Caliber handgun with loaded magazine, serial number 55592;
- f. \$3,269.32 in United States Currency seized from Wells Fargo Bank Expanded Business Services Account Number 5129131933, in the name of C.R.E.C. Investments, LLC, located at 3300 W. Sahara Ave., Las Vegas, NV 89102;
- g. \$58,513.96 in United States Currency seized from Wells Fargo Bank Business High Yield Savings Account Number 1253406126 in the name of C.R.E.C. Investments and Diocelina Pantoja-Cruz, LLC, located at 3300 W. Sahara Ave., Las Vegas, NV 89102;
- h. \$4,541.00 in United States Currency seized from Rolando Hernandez; and
- i. any and all ammunition.

This Court finds the United States of America is now entitled to, and should, reduce the aforementioned property to the possession of the United States of America.

NOW THEREFORE, IT IS HEREBY ORDERED, ADJUDGED, AND DECREED that the United States of America should seize the aforementioned property.

IT IS FURTHER ORDERED, ADJUDGED, AND DECREED all right, title, and interest of ROLANDO HERNANDEZ in the aforementioned property is forfeited and is vested in the United States of America and shall be safely held by the United States of America until further order of the Court.

...

1 IT IS FURTHER ORDERED, ADJUDGED, AND DECREED the United States of America
2 shall publish for at least thirty (30) consecutive days on the official internet government forfeiture
3 website, www.forfeiture.gov, notice of this Order, which shall describe the forfeited property, state
4 the time under the applicable statute when a petition contesting the forfeiture must be filed, and state
5 the name and contact information for the government attorney to be served with the petition, pursuant
6 to Fed. R. Crim. P. 32.2(b)(6) and Title 21, United States Code, Section 853(n)(2).

7 IT IS FURTHER ORDERED, ADJUDGED, AND DECREED a petition, if any, must be filed
8 with the Clerk of the Court, 333 Las Vegas Boulevard South, Las Vegas, Nevada 89101.

9 IT IS FURTHER ORDERED, ADJUDGED, AND DECREED a copy of the petition, if any,
10 shall be served upon the Asset Forfeiture Attorney of the United States Attorney's Office at the
11 following address at the time of filing:

12 Daniel D. Hollingsworth
13 Assistant United States Attorney
14 Michael A. Humphreys
15 Assistant United States Attorney
16 Lloyd D. George United States Courthouse
17 333 Las Vegas Boulevard South, Suite 5000
18 Las Vegas, Nevada 89101.

16 IT IS FURTHER ORDERED, ADJUDGED, AND DECREED the notice described herein
17 need not be published in the event a Declaration of Forfeiture is issued by the appropriate agency
18 following publication of notice of seizure and intent to administratively forfeit the above-described
19 property.

20 DATED this 28 day of Sept, 2010.

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25 UNITED STATES DISTRICT JUDGE
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